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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/424,006	03/07/2000	GEORG SANGER	RIEB6.001APC	7439

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[REDACTED] EXAMINER

WARD, RONALD J

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2681

DATE MAILED: 06/13/2003

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/424,006

Applicant(s)

SANGER, GEORG

Examiner

Ronald J Ward

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 May 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 6-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 6-11 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|--|
| <p>1)<input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3)<input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>12</u>.</p> | <p>4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____.</p> <p>5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6)<input type="checkbox"/> Other: _____</p> |
|---|--|

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. **Claims 6, 9-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkins (USPN 5159592) in view of Baugh et al (USPN 5793762).

As to **claim 6**, Perkins discloses, in Figure 2, a method for reaching subscribers in a cellular mobile radio communication system (see col. 3 lines 63-68), comprising:

temporarily assigning object identifications (e.g., pseudo-IP address) to subscribers (10), said temporary object identifications being formed by subscriber data sets (e.g., sets of pseudo-IP addresses) that respectively define an entire subscriber environment of a virtual communication network (e.g., dynamic pseudo-network) within the cellular mobile radio communications system, wherein one or more subscriber data sets are assignable to subscribers of the cellular mobile radio communication system, and wherein the subscriber data sets are selected from a pool of predetermined subscriber data sets (see col. 4 lines 49-65); and

selectively allocating predetermined subscriber environments to respective authorized subscribers, the predetermined subscriber environments being defined by the subscriber data sets (see col. 5 lines 2-27).

However, Perkins fails to explicitly recite that the cellular mobile radio communications system is configured for at least voice communications.

In an analogous art, Baugh discloses a similar communications system that is configured for at least voice communications (see abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Perkins's system to include provisions for voice communications as taught

by Baugh, for the purpose of allowing subscribers to communicate via encrypted voice (see col. 1 lines 27-30 of Baugh)..

As to **claim 9**, the combination system of Perkins and Baugh disclose everything as applied to claim 6 above. In addition Perkins discloses the step of assigning a temporary, object-related (e.g. pseudo-IP address) and a permanent, individual subscriber environment (mobile unit name) to a subscriber, to whom an object identification has been assigned (see col. 7 lines 5-36).

As to **claim 10**, the combination system of Perkins and Baugh disclose everything as applied to claim 9 above. In addition, Perkins discloses the step of reaching the subscriber always under the call numbers (mobile unit name) which correspond to the individual and the temporary subscriber environments (pseudo-IP address) currently assigned to the subscriber (see col. 7 lines 5-40).

As to **claim 11**, the combination system of Perkins and Baugh disclose everything as applied to claim 6 above. In addition, the cellular radio communication system disclosed by Perkins is further configured for data communication (see abstract).

2. **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkins in view of Baugh as applied to claim 6 above, and further in view of Rothenhofer (USPN 5345502).

The combination system of Perkins and Baugh disclose everything as applied to claim 6 above. However, Perkins and Baugh fail to explicitly recite administering calls regarding subscriber data sets of the virtual communication network through an intelligent network.

In an analogous art, Rothenhofer discloses administering calls regarding subscriber data sets of the virtual communication network through an intelligent network (see col. 1 line 45 through col. 2 line 10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination system of Perkins and Baugh to administer calls regarding subscriber data sets through an intelligent network, as taught by Rothenhofer. One of ordinary skill in the art would have been motivated to make this modification because an intelligent network offers additional advantages and benefits, and it operates according to a global standard (see col. 1 lines 11-25).

3. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Perkins in view of Baugh as applied to claim 6 above, and further in view of Slaughter, III et al. (USPN 5598536).

The combination system of Perkins and Baugh disclose everything as applied to claim 6 above. In addition Perkins discloses the step of receiving a unique identity from a subscriber (see col. 5 lines 57-60). However, Perkins and Baugh fail to explicitly recite carrying out an authorization check of the subscribers, and allocating the subscriber data sets after a positive result of the authorization check is obtained.

In an analogous art, Slaughter discloses a similar system in which an authorization check of the subscribers is carried out prior to granting to that subscriber specific services (see col. 3 lines 50-62).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination system of Perkins and Baugh to include an authorization check, as taught by Slaughter, for the purpose of preventing abuse by unauthorized subscribers.

Response to Arguments

4. Applicant's arguments with respect to claims 6-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Huang et al (USPN 6041358) discloses a virtual communication network using local area network (LAN) over asynchronous transmission mode (ATM) emulation technology.

Tirabassi et al (USPN 6073023) discloses a method for reaching subscribers in a cellular mobile communication system comprising assigning object identifications to subscribers, said object identifications being formed by subscriber data sets that respectively define an entire subscriber environment in a virtual communication network (see col. 1 line 60 through col. 2 line 40, and col. 9 lines 13-21).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald J. Ward whose telephone number is (703) 305-5616. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached at (703)305-4778.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 2600 Customer Service Office at (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

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Art Unit: 2681

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(703) 872-9314 (Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

RJW

June 2, 2003

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